

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re: :
: **Case No.: 17-23680**
Timothy R. Evans DBA Innate Fitness, : **Chapter 13**
LLC : **Judge Carlota M. Bohm**
Lindsey R. Evans : *********
: *****

Debtor(s)

U.S. Bank National Association : **Date and Time of Hearing**
Movant, : **Place of Hearing**
vs : **January 27, 2021 at 10:00 a.m.**

Timothy R. Evans DBA Innate Fitness, : **Courtroom B, 54th Floor**
LLC : **U.S. Steel Tower**
Lindsey R. Evans : **600 Grant Street**
: **Pittsburgh, PA 15219**

Ronda J. Winnecour

Respondents.

**CREDIOTOR'S CERTIFICATE OF SERVICE FOR ORDER GRANTING MOTION
FOR RELIEF FROM THE AUTOMATIC**

I certify under penalty of perjury that I served the above captioned pleading on the parties at the addresses specified below or on the attached list on
(date) January 13, 2021

The type(s) of service made on the parties (first-class mail, electronic notification, hand delivery, or another type of service) was:
first-class mail and/or electronic notification

If more than one method of service was employed, this certificate of service groups the parties by the type of service. For example, the full name, email address, and where applicable the full name of the person or entity represented, for each party served by electronic transmission is listed under the heading "Service by NEF," and the full name and complete postal address for each party served by mail, is listed under the heading "Service by First-Class Mail."

EXECUTED ON: January 13, 2021

By: /s/ Karina Velter

Signature

Karina Velter, Esquire

Typed Name

P.O. Box 165028, Columbus, OH 43216-5028

Address

614-220-5611

Phone No.

94781

List Bar I.D. and State of Admission

Karina Velter, Attorney for Creditor, Manley Deas Kochalski LLC, P.O. Box 165028, Columbus, OH 43216-5028 (notified by ecf)

Office of U.S. Trustee, Party of Interest, (Registered address)@usdoj.gov (notified by ecf)

Ronda J. Winnecour, Chapter 13 Trustee, Suite 3250, USX Tower, 600 Grant Street, Pittsburgh, PA 15219 (notified by ecf)

Brian J. Bleasdale, Attorney for Debtor, Emerson Professional Building, 101 Emerson Avenue, Aspinwall, PA 15215 (notified by ecf)

Timothy R. Evans DBA Innate Fitness, LLC and Lindsey R. Evans, Debtor, 307 Chanticleer Circle, New Stanton, PA 15672 (notified by regular US Mail)

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 : **Case No.: 17-23680**
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LLC : **Judge Carlota M. Bohm**
Lindsey R. Evans : *********
 : *****
Debtor(s) : **re doc. 51**
 :
USB Leasing LT : **Date and Time of Hearing**
Movant, : **Place of Hearing**
vs : **January 27, 2021 at 10:00 a.m.**
 :
Timothy R. Evans DBA Innate Fitness, : **Courtroom B, 54th Floor**
LLC : **U.S. Steel Tower**
Lindsey R. Evans : **600 Grant Street**
 : **Pittsburgh, PA 15219**
Ronda J. Winnecour
Respondents. ENTERED BY DEFAULT

ORDER GRANTING MOTION FOR RELIEF FROM STAY REGARDING 2017
DODGE RAM 1500 WITH VIN 3C6RR7LT5HG593039

This matter came before the Court on the Motion for Relief from Stay (the "Motion") filed by USB Leasing LT ("Creditor").

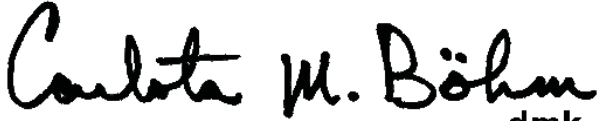
Creditor has alleged that good cause for granting the Motion exists, and that Debtor, counsel for the Debtor, the Chapter 13 Trustee, and all other necessary parties were served with the Motion, and with notice of the hearing date on the Motion. No party filed a response or otherwise appeared in opposition to the Motion, or all responses have been withdrawn. For these reasons, it is appropriate to grant the relief requested.

IT IS, THEREFORE, ORDERED that the Motion is granted. The automatic stay imposed by § 362 of the Bankruptcy Code is terminated with respect to the Creditor, its successors, and assigns.

Creditor is hereby permitted to take any and all actions necessary to accelerate the balance due on the Contract, to sell the Collateral in accordance with state law, to apply the net proceeds to the Contract, and to otherwise exercise its contractual and state law rights as to the Collateral.

IT IS FURTHER ORDERED that the Chapter 13 Trustee shall discontinue all payments to Creditor on its claim under the Chapter 13 Plan filed by the Debtor(s). Creditor is directed to file a report of sale promptly following liquidation of the 2017 Dodge Ram 1500 with the Vehicle Identification Number 3C6RR7LT5HG593039 (the "Collateral") if any excess proceeds are received. Should Creditor seek to file any unsecured deficiency claim, Creditor shall do so no later than 90 days after this Order is entered. If the Collateral has not been liquidated, the deficiency claim is to be estimated.

Date: 1/12/2021


dmk

Judge Carlota M. Bohm
United States Bankruptcy Judge

CC:

Karina Velter, Attorney for Creditor, Manley Deas Kochalski LLC, P.O. Box 165028, Columbus, OH 43216-5028 (notified by ecf)

Office of U.S. Trustee, Party of Interest, (Registered address)@usdoj.gov (notified by ecf)

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FILED
1/12/21 2:29 pm
CLERK
U.S. BANKRUPTCY
COURT - WDPA